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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,725	09/25/2003	Michael Charles Green	15772.0007	6433

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EXAMINER	
ZHU, BO HUI ALVIN	

ART UNIT	PAPER NUMBER
2619	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/669,725	GREEN ET AL.	
	Examiner	Art Unit	
	Bo Hui A. Zhu	2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,9,10,12 and 13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,9,10,12 and 13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment filed on October 1, 2007 has been entered.

Claims 1 – 6, 9, 10, 12 and 13 are pending.

Claims 1 – 6, 9, 10, 12 and 13 are rejected.

The claim objection to claim 4 has been withdrawn in view of the amendment to the claim.

Claim Objections

2. Claims 9, 12 and 13 are objected to for being a dependent claim of a cancelled claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 – 6, 9, 10, 12 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) with regard to claims 1 – 4:

The claimed limitations "the session ID" and "the extension network element identifier of the response" lack antecedence basis in the claim.

(2) with regard to claims 5, 6, 9, 10, 12 and 13:

The claimed limitation "the extension network element identifier of the response" lack antecedence basis in the claim.

(3) with regard to claim 10, 12 and 13:

The claimed subject matter "a network element" is introduced more than once in the claim. Clarification of the subject matter is required.

The claimed limitation "the modified TL1 message" lacks antecedence basis in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1 – 6, 9, 10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duggan (US 2003/0169781) in view of Baxter et al. (US 7,107,356).

(1) with regard to claim 1:

Duggan discloses a method, comprising: addressing an extension network element (24 on Fig. 3) using a modified TL1 message for a command including a

session identifier (identifier for 21 – TID1) in a field (the TID field of a TL1 message) of the modified TL1 message that originally contained an extended network element identifier (identifier for 24 – TID5) in an original message to set up a SONET connection (see paragraph [0028]); processing the modified TL1 message at the extension network element (the modified TL1 message is processed by 24 (TID5), paragraph [0031] and [0032]); and transmitting a command response including the session identifier back to the network element (paragraph [0029]; the TID of the source TID1 is included in the response sent by 21 (TID1)); determining a port to transmit the response based on the session ID (the response transmitted from 21 (TID1) is the result of a TL1 message sent to TID1; a port or an interface is inherent to transmitting a message between two network devices).

Duggan however does not explicitly disclose replacing the session ID with the extension network element identifier of the response; and forwarding a modifier response to the source of the original command.

Baxter et al. discloses replacing the session ID with the extension network element identifier of the response; and forwarding a modifier response to the source of the original command (column 47 – 61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Duggan with the teaching of Baxter et al. in order to use one single routing device for routing messages to multiple destinations thereby to improve cost efficiency of the system.

(2) with regard to claim 2:

Duggan further discloses that receiving a TL1 message including the extension network element identifier in the field of the TL1 message; replacing the extension network element identifier with a session identifier (step 204 on Fig.2; paragraph [0028]; the <TID> field is replaced with TID1) and transmitting the modified command message to an extension network element (step 205 on Fig. 2; the reformatted message is sent to an network element 13).

(3) with regard to claim 3:

Duggan further discloses that receiving the modified command at an extension network element (network element 13 receives the message at step 206).

(4) with regard to claim 4:

Duggan further discloses accepting the command response at the network element (24 receives the modified TL1 message).

(5) with regard to claims 5:

Duggan discloses a method, comprising: receiving a command message from the optical network including a port identifier specifying the port of a network element (12 on Fig. 3; the <AID> field of a TL1 message specifies a specific port used by a network element) that is connected to an extension network element (24 (TID5) on Fig. 3); replacing the port identifier (TID5) with a session identifier (TID1) in the command message prior to the transmitting (paragraph [0028]); processing the command message at the extension network element (TID5 processes the modified TL1 message); sending a response message to the network element (response is sent to 12

after the message has been received); determining a port to transmit the response based on the session ID (the response transmitted from 21 is the result of a TL1 message sent to TID1; a port to transmit the TL1 response message is inherent).

Duggan however does not explicitly disclose replacing the session identifier with the extension network element identifier of the response; and forwarding a modified response to a second network element.

Baxter et al. discloses replacing the session identifier with the extension network element identifier of the response; and forwarding a modifier response to a network element (column 47 – 61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Duggan with the teaching of Baxter et al. in order to use one single routing device for routing messages to multiple destinations thereby to improve cost efficiency of the system.

(6) with regard to claim 10:

Duggan discloses a system, comprising: an extension network element (24 on Fig. 3) for connection to a network element (12 on Fig. 3); wherein the extension network element is configurable to process command message received from a network element without regard to the terminal identifier within the messages (24 processes TL1 messages without regard to TIP1 which is within the messages sent from 12 to 24); process command messages received from a network element (11) in connection with a local session identification (defined by the <AID> field of a TL1 message) established

between the network element and the extension network element that includes a session identifier (identifier for 21 – TID1) in a field (the TID field of a TL1 message) of the modified TL1 message that originally contained an extended network element identifier (identifier for 24 – TID5; paragraph [0028]); transmitting a response to the command messages including the session identifier back to a network element (12) (paragraph [0029]; the TID of the source TID1 is included in the response sent by 21 (TID1)); wherein the network element is configured to: determine a port to transmit the response based on the session identifier (the response transmitted from 21 (TID1) is the result of a TL1 message sent to TID1; a port or an interface is inherent to transmitting a message between two network devices).

Duggan however does not explicitly disclose replacing the session identifier with the extension network element identifier of the response; and forwarding a modified response to a second network element.

Baxter et al. discloses replacing the session identifier with the extension network element identifier of the response; and forwarding modifier responses to a respective sources of the original command messages (column 47 – 61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Duggan with the teaching of Baxter et al. in order to use one single routing device for routing messages to multiple destinations thereby to improve cost efficiency of the system.

(7) with regard to claims 6 and 12:

Duggan further discloses identifying a data communication channel corresponding to the port identifier; and transmitting the command message to the extension network element over the identified data communication channel (the data communication channel is a channel identified by the port being used by the communicating network element to transmit data to. The TL1 protocol inherently uses the <AID> fields to specify a channel for transmission).

(8) with regard to claim 9:

Duggan further discloses transmitting the response message over the network (response is transmitted over network 30 and back to network element 13).

(9) with regard to claim 13:

Duggan further discloses that the extension network element does not have a separate terminal identification stored in the routing table of network elements within the network to which the extension network element is connected (paragraph [0028]; there is no separate terminal identification about network element 23 stored in the network element 13; 13 does not transmit message directly to 23; it can only transmit messages to 21 which it is directly connected to).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bo Hui A. Zhu whose telephone number is (571)270-1086. The examiner can normally be reached on Mon-Thur 10am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571)272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BZ
Examiner
December 12, 2007

EDAN . ORGAD
SUPERVISORY PATENT EXAMINER